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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,282	12/12/2001	Michael Wayne Brown	AUS920010822US1	7035

7590 09/03/2003
Biggers & Ohanian
5 Scarlet Ridge
Austin, TX 78737

EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
2645	4

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,282

Applicant(s)

BROWN ET AL.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12-12-2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-59 are pending in this office action.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 2, is attached to the instant office action.

Drawings

3. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on December 12, 2001 have been objected. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23 recites the limitation "said external service". There is insufficient antecedent basis for this limitation in the claim. Examiner suggests changing the word "service" to "server".

Claim 21 recites the limitation "said call". There is insufficient antecedent basis for this limitation in the claim.

Claim 52 recites the limitation "said trusted telephone network". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-30 and 32-51 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,122,357 by Farris et al.

Regarding claim 1, Farris et al disclose a method for externally identifying a particular callee (column 1, lines 18-20), said method comprising: receiving a voice utterance for a callee at a server or IP w/ SIV (Intelligent Peripheral with Speaker Identification/Verification) (Figure 1, 23; column 13, lines 18-19) to a trusted telephone network, wherein said trusted telephone network is processing a call to said callee (see Figure 1); and identifying a callee identity associated with said voice utterance at said IP, such that said callee identity is transmittable as an authenticated identity of said callee for a call (column 13, lines 20-23).

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Regarding claim 2, the method mentioned above, wherein receiving a voice utterance further comprises: receiving said voice utterance through a secure channel, by assigning pin numbers to authenticate callers, between said IP and said trusted telephone network (column 33, lines 63-65).

Regarding claim 3, the method mentioned above, wherein said trusted telephone network brokers said call between said callee and said IP (see Figure 1).

Regarding claim 4, the method mentioned above, wherein said trusted telephone network comprises at least one public switching telephone network (PSTN) (column 6, lines 32-35).

Regarding claim 5, the method mentioned above, wherein said trusted telephone network comprises a private switching system, (see Figure 2).

Regarding claim 6, the method mentioned above, further comprising: enabling communication between said computer and said trusted telephone network via a network comprising the Internet (column 8, lines 12-14).

Regarding claim 7, Farris et al disclose a system for externally identifying a particular callee (column 3, lines 17), comprising: a TCP/IP network (Figure 1; 27) connected to a trusted telephone network (see Figure 1); a telephone service server or IP w/ SIV (Figure 1, 23) communicatively connected to said network (see Figure 1); means for receiving a voice utterance for a callee of a call transferred from said trusted telephone network to said IP (column 13, lines 18-19); and means for identifying a callee identity associated with said voice utterance at said IP (column 13, lines 20-23).

Regarding claims 8-12, please refer to the method mentioned in claims 2-6 above to justify the system in claims 8-12.

Regarding claim 13, the system mentioned above, wherein said network operates independent of said trusted telephone network (see Figure 1).

Regarding claim 14, a computer program product for externally identifying a particular callee, said computer program product comprising (column 3, lines 17): a recording medium or Direct Talk modules (Figure 3, 231A, 231B); means, recorded on said recording medium, for receiving a voice utterance for a callee at a server or IP w/ SIV external to a trusted telephone network (Figure 1, 23; column 13, lines 18-19), wherein said trusted telephone network is processing a call to said callee (see Figure 1); and means, recorded on said recording medium, for identifying a callee identity associated with said voice utterance at said server, such that said callee identity is transmittable as an authenticated identity of said callee for a call (column 13, lines 20-23).

Regarding claims 15-16, please refer to the method mentioned in claims 3 and 6 above to justify the computer program product in claims 15-16.

Regarding claim 17, Farris et al disclose a method for specifying telephone services for a particular callee (column 6, line 29), comprising: detecting a call receipt condition from a destination device or callee's phone (Figure 1, 1B; column 22, lines 52-56) at a trusted telephone network; brokering a connection between said destination device and an external server or IP w/ SIV enabled to perform a callee identity authentication service (column 44, lines 41-52); and responsive to receiving, from said IP, an authenticated callee identity of a callee utilizing said destination device, specifying services available to said callee according to said authenticated callee identity (column 7, lines 62-64; column 20, lines 33-34).

Regarding claims 18 and 20, please refer to the method mentioned in claim 1 above to justify the method in claims 18 and 20.

Regarding claim 19, the method mentioned above further comprising: retrieving a callee profile for said authenticated callee identity; and specifying a selection of services from among a plurality of services that are offered for said call according to said callee profile (column 20, lines 33-39).

Regarding claim 21, the method mentioned above, wherein brokering a connection further comprises: transmitting a request for said callee identity authentication service via a signal gateway SSP (Service Switching Point) central office switch (Figure 1; 11₁), to a network for accessing said IP; responsive to receiving access to said callee identity authentication service, transferring said call to said IP (column 39, lines 4-7); transferring a prompt for a voice utterance (column 42, lines 65-66), received from said IP via a media gateway or terminating SSP central office switch (Figure 1, 11_N), to said destination device; transferring a voice utterance by said callee through said media gateway to said network for accessing said IP (column 42, lines 62-63; column 43, lines 1-5) and receiving said authenticated callee identity via said SSP central office switch (Figure 1; 11₁), at said trusted telephone network (column 43, lines 17-18).

Regarding claim 22, please refer to the method mentioned in claim 2 above to justify the method in claim 22.

Regarding claim 23, the method mentioned above, further comprising: brokering a connection between an origin device (Figure 1, 1_A), accessible to said caller and said external server, such that said caller is enabled to listen to authentication of said callee identity (column 43, lines 36-41).

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Regarding claims 24-30, please refer to the method mentioned in claims 17-23 to justify the system in claims 24-30.

Regarding claim 32, a method for informing a caller of a callee identity (column 1, lines 18-19), comprising: detecting a call receipt condition from a destination device at a trusted telephone network (Figure 1, 1_B; column 22, lines 52-56); brokering a connection between said destination device and an external server or IP w/ SIV enabled to perform a callee identity authentication service (column 44, lines 41-52); and responsive to receiving, from said external server, an authenticated callee identity of a callee utilizing said destination device (column 7, lines 62-64; column 20, lines 33-34), transferring said authenticated callee identity to an origin device (Figure 1, 1_A; column 43, lines 36-41), such that a callee initiating said call at said origin device is informed of an identity of a party answering said call.

Regarding claim 33, the method mentioned above, further comprising: filtering content of said authenticated callee identity before transfer to said origin device (column 43, lines 1-2).

Regarding claim 34, the method mentioned above in claim 33, further comprising: filtering content of said authenticated callee identity according to filtering preferences associated with said authenticated callee identity (column 43, lines 1-5).

Regarding claim 35, the method mentioned above in claim 33, further comprising: filtering content of said authenticated callee identity according to an identity of said caller (column 43, lines 32-35).

Regarding claim 36, the method mentioned above further comprising: filtering said authenticated callee identity to block at least a portion of the content of said authenticated callee

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identity (column 43, lines 35-40) by including the option of not voice connecting the calling party to the callee.

Regarding claim 37, the method mentioned above, further comprising: detecting a line number utilized to access said destination device (column 12, lines 60-64); and transferring said line number with said authenticated callee identity to said origin device (column 13, lines 18-23).

Regarding claim 38, the method mentioned above, further comprising: detecting a line number utilized to access said destination device (column 12, lines 60-64); and blocking said line number from transfer to said origin device with said authenticated callee identity if the caller can not be identified (column 13, lines 42-47).

Regarding claim 39, the method mentioned above, further comprising: detecting a call forwarded from a first line number to a second line number; and transferring an indicator, by a distinctive ring signal, to said origin device with said authenticated callee identity that said call is forwarded to said second line number (column 8, lines 8-11; column 13, lines 31-32,35-37).

Regarding claim 40, the method mentioned above, further comprising: detecting a call forwarded from a first line number to a second line number; and (column 13, lines 35-37) brokering a connection between said destination device and said IP periodically throughout said call to authenticate said callee identity (column 25, lines 44-47); responsive to receiving, from said IP, a current authenticated callee identity, "John", differing from a previously received authenticated callee identity "Jane" (column 44, lines 31-37), transferring said current authenticated callee identity to said origin device to update said caller.

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Regarding claim 41, the method mentioned above in claim 40, further comprising:
updating the said caller that the identity of the callee has changed by having caller hear current authenticated callee identity say his name "John" (column 44, lines 37-40).

Regarding claims 42-51, please refer to the method mentioned in claims 32-41 above to justify the system in claims 42-51.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over by U.S. Patent No. 5,499,288 by Hunt et al in view of U.S. Patent No. 6,173,041 by Borland et al.

Hunt et al disclose computer program product for specifying telephone services for a particular caller (column 1, lines 61-64), comprising: a recording medium or speech generator (Figure 2, 38); means, recorded on said recording medium, for detecting a call receipt condition from a destination device or digital processing system of a financial institution (column 4, lines 54-56) at a trusted telephone network; means, recorded on said recording medium, for brokering a connection between said destination device and an external server or disk storage enabled to perform a callee identity authentication service via the voice recognition algorithm (Figure 2, 46; 48; column 3, lines 33-35); and means, recorded on said recording medium, for responsive to receiving, from said disk storage, an authenticated callee identity of a callee utilizing said destination device, specifying services available to said callee according to said authenticated

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callee identity (column 2, lines 66-67; column 3, lines 1-3). Hunt et al does not disclose a method for specifying telephone services for a particular callee.

Borland et al disclose a method for identifying a particular callee (column 3, lines 17) in order to reduce call interruptions caused by a caller placing a call to the telephone (column 2, lines 36-39).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the computer program product of Hunt et al to include a method that specifies telephone services for a particular callee as the method taught by Borland et al. One of ordinary skill in the art would have been lead to make such a modification in order to identify a callee of a destination device and allow a service that advantageously enables authentication of the identity of a callee for more effective use of a user's telephone service.

Claims 52-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,122,357 by Farris et al as applied to claims 32-41 above in view of U.S. Patent No. 5,499,288 by Hunt et al.

Farris et al does not disclose a recording medium as disclosed in claims 52-59 of the claimed invention.

Hunt et al disclose computer program product for specifying telephone services for a particular caller (column 1, lines 61-64), comprising: a recording medium or speech generator (Figure 2, 38); means, recorded on said recording medium, for detecting a call receipt condition from a destination device or digital processing system of a financial institution (column 4, lines 54-56) at a trusted telephone network; means, recorded on said recording medium, for brokering a connection between said destination device and an external server or disk storage enabled to

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perform a callee identity authentication service via the voice recognition algorithm (Figure 2, 46; 48; column 3, lines 33-35); and means, recorded on said recording medium, for responsive to receiving, from said disk storage, an authenticated callee identity of a callee utilizing said destination device, specifying services available to said callee according to said authenticated callee identity (column 2, lines 66-67; column 3, lines 1-3).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the system of Farris et al to include a speech generator as taught by Hunt et al. One of ordinary skill in the art would have been lead to make such a modification in order to have a recording medium to broker services between a destination device and an origin device to provide services such as: callee identity authentication, provide information to the caller, indicate call transfer, and announce when a call is forwarded.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,2083,713 by Rahrer et al teach a voice recognition unit which uniquely identifies an utterance made by a user which is used to identify a desired record
- U.S. Patent No. 6,330,308 by Cheston, III et al teach a voice mail system for that prompts the caller to speak the name of the callee in order to forward a message to the telephone number of the callee
- U.S. Patent No. 6,185,288 by Wong teaches a calling party using a password to authenticate his/her identity and initiates a call where the E-mail address of a callee is identified

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Any response to this action should be mailed to:

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Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH
lh
August 19, 2003

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER
for
Fan Tsang